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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,979	09/20/2001	Jang Jin Yoo	041501-5452	1915

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EXAMINER

AKKAPEDDI, PRASAD R

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/955,979

Applicant(s) 

YOO ET AL.

Examiner

Prasad R Akkapeddi

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 15-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

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had possession of the claimed invention. The new subject matter consists of: "both the first electrode and the light-shielding layer are within a same unit pixel region". Neither the original claims and the previously amended claims nor the specification contain this limitation, thus making this a new matter.

Response to Arguments

3. Applicant's arguments with respect to the original and previously amended claims 1-2 and 4-14 have been considered but are moot. The original rejections as stated in the Office action dated 04/09/2003 are still valid.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4-8, 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (Kim) (U.S. Patent No. 6,100,953).

As to claims 1, 4 and 8: In describing the prior art, Kim discloses a liquid crystal display device ((Fig. 1A) with an insulating film (passivation layer, Col. 1, lines 31-32) on a first substrate, a first electrode (13) having a plurality of slit patterns directly contacting the insulating film (Fig. 1A), a light shielding layer (15) below each slit pattern, a second electrode (17) on a second substrate and a liquid crystal layer between first and second substrates (Col. 1, lines 44-45) and the alignment directions of the liquid crystal layer (Col. 1, lines 51-53).

As to claims 5-7 and 12-14: Kim also discloses that the first electrode (13) is made of a transparent conductive material, ITO (Col. 4, lines 53-55), and the second electrode (17) also includes a transparent conductive material ITO (Col. 5, lines 46-48) and the passivation layer (insulating layer) on the entire first substrate (Fig. 1A).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Woo et al. (Woo) (U.S. Patent No. 6,067,140).

As to claims 2, 9-11: Although Kim discloses a light shield layer (15), but the layer is not in the middle portion of the first electrode. However, Woo discloses a liquid crystal display device with the light- shielding layer (130) below the middle portion of the first electrode (121). The light- shielding layer must be formed at the boundary region (disinclination line) to shield light entering this region (Col. 1, lines 57-59). Thus it is would have been obvious to one skilled in the art in view of Woo to employ a light shielding layer under each slit and at the middle portion of the first electrode for preventing leakage at the disinclination lines, thereby improving contrast.

8. Following is the response by the examiner to the applicant's arguments:

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Applicant's argument No. 1 (Page 7, lines 5-21): (a) the side electrode (15) of Kim et al. is not a light shielding member and (b) the openings of kim et al. are in-between pixel units, and thus are not slit patterns of a first electrode as set forth in the claimed invention.

Examiner's response to argument No. 1: Any electrode that is a metal is a light shielding member and hence in a broad sense, side electrode (15) will shield light and hence is a light shielding member. Regarding the argument about 'a pixel unit': neither the original claims nor the specification specify that the first electrode and the light shielding layer are within a same unit pixel region or do they specify a unit pixel region. Thus, the rejection as stated is appropriate.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prasad R Akkapeddi whose telephone number is 703-305-4767. The examiner can normally be reached on 7:00AM to 5:30PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on 703-305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0530.



Prasad R Akkapeddi
Examiner
Art Unit 2871


TOANTON
PRIMARY EXAMINER